

III. REMARKS

1. Claims 33-34 are not anticipated by Jokiahho et al. (US 5,889,770) ("Jokiahho") under 35. U.S.C. §102(e).

Claim 33 requires that a packet data device is either an integral part of the mobile station or attached to the mobile station. Jokiahho does not disclose such a combination of a mobile station and a packet data device. The Examiner refers to column 3, line 57, to column 4, line 5 of Jokiahho. However, this passage of Jokiahho only describes how a network device handles data packets that come from a mobile station and updates a location identifier within the network if the data packets appear to come from a different location area than before. The only thing that Jokiahho ever mentions to take place at the mobile station is the possible insertion of a certain identifier to the packets before transmitting them to the network. Jokiahho does not disclose or suggest means for receiving a notification from a cellular network about a location information request, or means for notifying a packet data device, which is either an integral part of the mobile station or attached to the mobile station, about the location information request, as recited by Applicant in claim 33.

Thus, claims 33 and 34 cannot be anticipated by Jokiahho.

2. Claims 1-5, 7 and 9-26 are not unpatentable over Havinis et al. (US 6,671,377) ("Havinis") in view of Jokiahho under 35 U.S.C. §103(a).

Havinis in view of Jokiahho does not disclose or suggest each feature of Applicant's invention as claimed.

Claim 1 recites requesting a security document and initiating the establishment of at least one security association that specifies data origin authentication and points from the second network element to the first network element. This is not disclosed or suggested by Havinis in view of Jokiahho.

The Examiner refers to steps in Havinis where the mobile station requests certain classified information (essentially base station coordinates) and where a MSC further requests certain information from a HLR.

However, this is not the same as "requesting a security document" and "initiating the establishment of at least one security association" as claimed by Applicant. Havinis fails to disclose or suggest any security associations that specify data origin authentications or security associations that point from one network element to another, as claimed by Applicant.

Additionally, there is no motivation to combine Havinis with Jokiahho to achieve Applicant's invention as claimed. In Havinis, the responsibility of determining position is completely at the mobile station. Havinis is not at all interested in the question of who may, and who may not, access the location information of a mobile station. Havinis only worries about how to send some necessary information describing the **network** to the mobile station, so that the mobile station can use such information in determining its position. This is not the same as Applicant's invention as claimed.

Thus, one of skill in the art would not be motivated to combine Havinis with Jokiahho to achieve Applicant's claimed invention. Therefore, claims 1-5, 7 and 9-26 should be allowable.

3. Claims 6,8 and 27-32 are not unpatentable over Havinis in view of Jokiahho and further in view of Barnes et al. (US 6,711,147) ("Barnes") under 35 U.S.C. §103(a).

Claims 6 and 8 should be allowable at least in view of their respective dependencies.

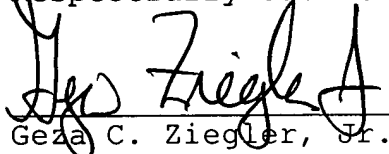
The features of claim 27 are not disclosed or suggested by the combination of Havinis, Jokiahho and Barnes.

Although Barnes refers tangentially to "security associations", these are not the same as what is described and claimed by Applicant. Claim 27 specifically recites a security association which "points" to the network element from the sender of the location information request. No such teaching can be found in the combination of Havinis, Jokiahho, and Barnes. Thus, claim 27 should be allowable. Claims 28-32 should be allowable at least in view of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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8 June 2005
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